

Ann T. Marshall, WSBA No. 23533
Barbara L. Bollero, WSBA No. 28906
ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN, LLP
701 Pike Street, Suite 1560
Seattle, WA 98101
Telephone: 206-492-2300, ext. 3204
Facsimile: 206-492-2319
bbollero@afrc.com
Attorneys for Defendant
Nationstar Mortgage LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

JULI ANN SWEENEY,

Plaintiff,

v.

NATIONSTAR MORTGAGE, LLC, a
Delaware limited liability company,

Defendant.

NO. 2:16-cv-01424-RSL

**STIPULATION OF PARTIES AND
ORDER THEREON FURTHER
EXTENDING EXPERT WITNESS
REPORT DATE**

Noting Date: June 7, 2017

I. RELIEF REQUESTED

Plaintiff Juli Ann Sweeny and Defendant Nationstar Mortgage LLC (“Nationstar”) request the Court grant a further extension of time of 28 days for them to exchange reports of

104034/000047/01761628-1

STIPULATION OF PARTIES AND
ORDER THEREON FURTHER
EXTENDING EXPERT WITNESS
REPORT DATE - 1

ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN LLP
701 Pike Street, Suite 1560
Seattle, WA 98101
(206) 492-2300 | Fax (206) 492-2319

1 expert witnesses, pursuant to Fed. R. Civ. P. 26(a)(2). A previous 28 day extension was
2 granted from May 10, 2017, to June 7, 2017. [Dkt. 18.]

3 Ms. Sweeny and Nationstar have been continuously engaged in settlement
4 negotiations concerning the accounting and terms of her four Nationstar-serviced loans, as set
5 forth in her approved Chapter 11 Bankruptcy Plan of Reorganization, and amendments
6 thereto. To that end, the parties request this extension to determine whether the litigation may
7 be resolved without the expenditure of unnecessary time and incurring unnecessary additional
8 fees not related to settlement efforts and potential dismissal of the litigation. The parties
9 request the deadline for the exchange of expert reports be extended from June 7, 2017, to July
10 5, 2017.

11 **II. FACTUAL BACKGROUND AND PROCEDURAL POSTURE**

12 Plaintiff filed this action on August 4, 2016, in King County Superior Court.
13 Nationstar removed the case to this Court on September 7, 2016. Since shortly after
14 Nationstar was served with the Summons, Ms. Sweeny and Nationstar have engaged in
15 settlement discussions concerning the accounting and terms of her four Nationstar-serviced
16 loans, as set forth in her approved Chapter 11 Bankruptcy Plan of Reorganization and
17 amendments thereto.

18 Since the last expert witness extension was granted on May 11, 2017 [Dkt. 18], Ms.
19 Sweeny formulated a counter-demand, several communications clarifying its terms were
20 exchanged, and Nationstar has requested clarification of additional terms to complete its
21 determination of a response to the most recent counter-demand. The parties believe it will be
22 mutually beneficial to allow additional time to explore settlement, and determine whether
23

24 104034/000047/01761628-1

25 STIPULATION OF PARTIES AND
ORDER THEREON FURTHER
EXTENDING EXPERT WITNESS
REPORT DATE - 2

ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN LLP
701 Pike Street, Suite 1560
Seattle, WA 98101
(206) 492-2300 | Fax (206) 492-2319

1 further litigation will be required. To that end, they request an extension of time of four
2 weeks, from extended from June 7, 2017, to July 5, 2017, to disclose expert witness reports.

3 **III. ARGUMENT**

4 LCR 7(j) provides in relevant part:

5 A motion for relief from a deadline should, whenever possible, be filed
6 sufficiently in advance of the deadline to allow the court to rule on the motion
7 prior to the deadline.... If a true, unforeseen emergency exists that prevents a
8 party from meeting a deadline, and the emergency arose too late to file a
9 motion for relief from the deadline, the party should contact the adverse party,
10 meet and confer regarding an extension, and file a stipulation and proposed
11 order with the court....

12 Here, because this is a stipulated motion under LCR 10(g), it is noted as a same-day
13 motion under LCR (d)(1). The parties have met and conferred and agreed that a four week
14 extension should provide enough time for the parties to determine if they are able to achieve
15 settlement and enter a settlement agreement, including a dismissal with prejudice, or else
16 provide expert witness reports to each other. The Court granted two previous extensions to
17 the parties to file their Joint Status Report. This is the parties' second request for additional
18 time concerning the expert witness report deadline, and this request is made in good faith
19 without purpose of delay.

20 WHEREFORE, the Parties respectfully request an extension of time of four weeks,
21 from extended from June 7, 2017, to July 5, 2017, to disclose expert witness reports.

22 Dated this 7th day of June, 2017.

23 /s/ Craig S. Sternberg

24 Craig S. Sternberg, WSBA No. 00521
25 Sternberg Thomson Okrent & Scher, PLLC
520 Pike St., Suite 2250

104034/000047/01761628-1

STIPULATION OF PARTIES AND
ORDER THEREON FURTHER
EXTENDING EXPERT WITNESS
REPORT DATE - 3

ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN LLP
701 Pike Street, Suite 1560
Seattle, WA 98101
(206) 492-2300 | Fax (206) 492-2319

1 Seattle, WA 98101-4013
2 Telephone: (206) 386-5438
3 Fax: (206) 374-2868
4 Email: css@stoslaw.com
5 *Attorneys for Plaintiff*

6 Dated this 7th day of June, 2017.

7 /s/ Barbara L. Bollero
8 Ann T. Marshall, WSBA No. 23533
9 Barbara L. Bollero, WSBA No. 28906
10 ANGLIN FLEWELLING RASMUSSEN
11 CAMPBELL & TRYTTEN LLP
12 701 Pike Street, Suite 1560
13 Seattle, WA 98101
14 Telephone: (206) 492-2300
15 Fax: (206) 492-2319
16 E-Mail: bbollero@afrc.com
17 *Attorneys for Defendant Nationstar Mortgage LLC*

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 Dated this 8th day of June, 2017.

20 
21 JUDGE ROBERT S. LASNIK
22 U.S. District Court Judge

23
24 104034/000047/01761628-1

25 STIPULATION OF PARTIES AND
ORDER THEREON FURTHER
EXTENDING EXPERT WITNESS
REPORT DATE - 4

ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN LLP
701 Pike Street, Suite 1560
Seattle, WA 98101
(206) 492-2300 | Fax (206) 492-2319